

Steven L. Woodrow (admitted *pro hac vice*)
Edelson PC
999 West 18th Street, Suite 3000
Denver, Colorado 80202
Telephone: (303) 357-4878
Facsimile: (303) 446-9111
Email: swoodrow@edelson.com

Jay Edelson (admitted *pro hac vice*)
Alicia Hwang (admitted *pro hac vice*)
Edelson PC
350 North LaSalle Street, Suite 1300
Chicago, Illinois 60654
Telephone: (312) 589-6370
Facsimile: (312) 589-6378
Email: jedelson@edelson.com
Email: ahwang@edelson.com

Scott B. Kitei (admitted *pro hac vice*)
Honigman Miller Schwartz and Cohn LLP
2290 First National Building
660 Woodward Avenue
Detroit, Michigan 48226-3506
Telephone: (313) 465-7000
Facsimile: (313) 465-8000
skitei@honigman.com

Robin E. Phelan, TBN 15903000
Stephen Manz, TBN 24070211
Haynes and Boone, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
Telephone: 214.651.5000
Facsimile: 214.651.5940
Email: robin.phelan@haynesboone.com
Email: stephen.manz@haynesboone.com

Counsel for Gregory Greene and Joseph Lack

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

MtGox Co., Ltd. (a/k/a MtGox KK)

Debtor in a Foreign Proceeding

§ Chapter 15

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§ Case No. 14-31229-sgj-15

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**MOTION FOR SETTING AND REQUEST FOR EXPEDITED HEARING
ON CREDITORS GREGORY GREENE AND JOSEPH LACK'S MOTION FOR AN
ORDER PURSUANT TO BANKRUPTCY RULE 2004 COMPELLING DEPOSITION
TESTIMONY IN THE UNITED STATES FROM THE FOREIGN REPRESENTATIVE**

1. Gregory Greene ("Greene") and Joseph Lack ("Lack") (collectively "Movants") hereby request that a hearing to consider *Creditors Gregory Greene and Joseph Lack's Motion for an Order Pursuant to Bankruptcy Rule 2004 Compelling Deposition Testimony in the United States from the Foreign Representative* (the "2004 Motion") be set on Tuesday, April 1, 2014 at 1:30 p.m.

2. Movants filed the 2004 Motion contemporaneously with this motion. The 2004 Motion seeks an Order from this Court in accordance with Rule 2004 compelling the deposition of the debtor's Foreign Representative, Mark Karpeles, to occur in the United States, specifically in this district, at a mutually agreeable time prior to the recognition hearing or, in the alternative, an Order compelling Mr. Karpeles's deposition in accordance with Rule 7030.

3. An expedited hearing on the 2004 Motion is in the best interest of the parties. A case status conference is scheduled in these proceedings for Tuesday, April 1, 2014 at 1:30 p.m. and all parties plan to attend. Hearing the 2004 Motion during the status conference will avoid the need for a subsequent hearing on the 2004 Motion.

4. Notice of the proposed expedited hearing will be sufficient because all interested parties will be served with the 2004 Motion and this request for expedited consideration via electronic mail or first class mail, and once a hearing on the 2004 Motion has been set, Movants shall serve notice of such hearing via electronic mail or overnight courier, in accordance with the Federal Rules of Bankruptcy Procedure.

5. A hearing was not requested earlier because counsel for the Parties were busily attempting to resolve the issues surrounding the production of the foreign representative through multiple meet and confers. Specifically, counsel for the Parties meet and conferred telephonically regarding the timing and location of the deposition of the foreign representative on March 14, 2014, March 18, 2014, and March 21, 2014. Despite these teleconferences, counsel for the Parties were unable to reach an agreement regarding the location of the examination. Specifically, whereas the Plaintiffs in the *Greene* proceeding believe that the interests of U.S. creditors can only be adequately served by requiring that the deposition of the foreign representative occur in the United States, counsel for the foreign representative have offered only to produce Mr. Karpeles in Taipei, Taiwan. Furthermore, the recognition hearing is presently set for May 6, 2014 and the Movants' response to the Chapter 15 petition is due at the end of April. As such, providing the standard period of notice for motions under such circumstances would leave little time, if any, to actually conduct the examination prior to the hearing.

Dated: March 25, 2014

By: /s/ Robin E. Phelan

Robin E. Phelan, TBN 15903000

Stephen Manz, TBN 24070211

HAYNES AND BOONE, LLP

2323 Victory Avenue, Suite 700

Dallas, Texas 75219

Telephone: 214.651.5000

Facsimile: 214.651.5940

Email: robin.phelan@haynesboone.com

Email: stephen.manz@haynesboone.com

and

Steven L. Woodrow (admitted *pro hac vice*)

EDELSON PC

999 West 18th Street, Suite 3000

Denver, Colorado 80202

Telephone: (303) 357-4878

Facsimile: (303) 446-9111

Email: swoodrow@edelson.com

and

Jay Edelson (admitted *pro hac vice*)
Alicia E. Hwang (admitted *pro hac vice*)
EDELSON PC
350 North LaSalle Street, Suite 1300
Chicago, IL 60654
Telephone: 312.589.6370
Facsimile: 312.589.6378
Email: jedelson@edelson.com
Email: ahwang@edelson.com

and

Scott B. Kitei (admitted *pro hac vice*)
HONIGMAN MILLER SCHWARTZ AND COHN
LLP
2290 First National Bldg.
660 Woodward Ave.
Detroit, MI 48226
Telephone: 313.465.7524
Facsimile: 313.465.7525
Email: skitei@honigman.com

**ATTORNEYS FOR GREGORY GREENE AND
JOSEPH LACK**

CERTIFICATE OF CONFERENCE

Movants' counsel reached out to counsel for the Debtor with respect to this motion to expedite and the Debtor has agreed to have this heard on an expedited basis at the status conference on April 1, 2014.

By:/s/ *Robin E. Phelan*
Robin E. Phelan

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 25, 2014 a true and correct copy of the foregoing document was served (i) upon all parties on the attached Service List via e-mail (if available as indicated thereon) or first class mail, and (ii) via e-mail upon the parties that receive electronic notice in this case pursuant to the Court's ECF filing system:

/s/ *Robin E. Phelan*
Robin E. Phelan

SERVICE LIST

David W. Parham
John Mitchell
Baker & McKenzie LLP
2300 Trammell Crow Center
2001 Ross Avenue
Dallas, TX 75201
Email: david.parham@bakermckenzie.com
Email: john.mitchell@bakermckenzie.com

Erin E. Broderick
Baker & McKenzie LLP
300 East Randolph Drive, Suite 500
Chicago, IL 60602
Email: erin.broderick@bakermckenzie.com

Office of the United States Trustee
1100 Commerce Street, Room 976
Dallas, TX 75242
Email: ustpregion06.da.ecf@usdoj.gov

Christopher L. Door
Edelson PC
350 North LaSalle St., Suite 1300
Chicago, IL 60654

Edgar Sargent
Susman Godfrey LLP
1201 3rd Avenue, Suite 3800
Seattle, WA 98101-3087

Jean-Denis Marx
Baker & McKenzie (Gaikokuho Joint Ent.)
Ark Hills Sengokuyama Mori Tower 28th Fl
1-9-10 Roppongi
Tokyo 106-0032 Japan

John M. Murphy
Baker & McKenzie LLP
300 East Randolph, Suite 5000
Chicago, IL 60601

Josephine Garrett
Josephine Garrett, P.C.
3119 West 5th Street

Fort Worth, TX 76107

Mark Karpeles
6-28-3302, Aobadai 3-chome, Meguro-ku
Tokyo, Japan

Megan Lindsey
Edelson PC
999 West 18th St., Suite 3000
Denver, CO 80202

MtCox, Co. Ltd. a/k/a MtGox KK
11-5, Shibuya 2-chome, Shibuya-ku
Tokyo, Japan

Roger M. Townsend
Breskin Johnson & Townsend PLLC
1111 Third Avenue, Suite 2230
Seattle, WA 98101

Rosa A. Shirley
Baker & McKenzie LLP
2001 Ross Avenue, Suite 2300
Dallas, TX 75201

The Honorable Jeh Johnson
Secretary of Homeland Security
Department of Homeland Security
Washington, DC 20528